

UNITED STATES DISTRICT COURT

DISTRICT OF OREGON

DANIEL WESLEY SHOWALTER JR.,

Plaintiff,

vs.

COMMISSIONER SOCIAL SECURITY
ADMINISTRATION

Defendant.

Civil No. 1:23-cv-00198-MC

ORDER AND JUDGMENT FOR REMAND

IT IS ORDERED AND ADJUDGED that this case is reversed and remanded pursuant to sentence four of 42 U.S.C. § 405(g) to the Commissioner of Social Security for further administrative proceedings.

On remand, the administrative law judge will offer Plaintiff the opportunity for a new hearing; reevaluate the opinion evidence; reevaluate Plaintiff's subjective claims; and, take any further action needed to complete the administrative record, and issue a new decision

After judgment, Plaintiff may be entitled to reasonable attorney's fees and costs pursuant to the Equal Access to Justice Act, 28 U.S.C. § 2412(d), upon proper request to this Court.

JUDGMENT is entered for Plaintiff, and this case is closed.

IT IS SO ORDERED this 29th day of February 2024.

s/Michael J. McShane
UNITED STATES MAGISTRATE JUDGE

Submitted by:

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United States Attorney

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s/ Sathya Oum
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